

REMARKS

The Examiner restated the PTO's position with respect to the rejection of Claims 18-37 under 35 USC 101 as being directed to non-statutory subject matter. There is nothing that the applicants can add to the argument presented in response to the previous office action. Therefore, in order to expedite the issuance of a patent with the allowed claims, they have cancelled Claims 18-37 without prejudice, leaving the ultimate determination of their patentability for prosecution in a divisional application.

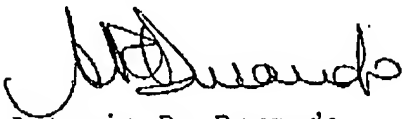
For the record, the statutory-subject-matter rejection of Claims 18-37 is believed to be totally unsupported by case law and the PTO's own current Guidelines, as pointed out in the applicants' previous response. As the Guidelines are now applied, no method claim involving the use of computation to produce a numerical result would pass muster, regardless of the nature of the result, which is exactly contrary to the law. For instance, if an inventor developed a computational method to calculate a precise formulation for a concoction to cure aids (i.e., a series of unique percentage numbers that worked), it would not be considered statutory, which would be an absurd result for the patent system. (Obviously, reciting a last step of utilizing the percentage numbers to achieve the intended result, as done in the

present application, would not be considered sufficient for a tangible result.)

However, the undersigned understands that the Examiner's position is dictated by PTO's current directives for all cases involving computational process claims. Therefore, without regard to the strong disagreement, concern and frustration expressed above, which are shared throughout the patent bar, the undersigned and the applicants wish to thank the Examiner for his thorough examination of the allowed claims and for his assistance in correcting informalities.

No fee is believed to be due with this response. Should any amount be required, please charge it to our Deposit Account No. 04-1935.

Respectfully submitted,



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